

TITLE 1: GOVERNMENT AND ADMINISTRATION

DIVISION 3. PERSONNEL

Chapter 1: Civil Service.

Sections:

- 13.011 Establishment.
- 13.012 Division of County Employment into Classified and Unclassified Services.
- 13.013 Offices, Officers, Positions and Employees in the Unclassified Service.
- 13.014 Protection of Incumbent Employee Status.
- 13.015 Scope of Classified Service.
- 13.016 Personnel Rules.
- 13.017 Authorization to Grant Civil Service Status to Transferred Employees.
- 13.018 Provision to Adopt State Civil Service Laws.
- 13.019 Adoption of Federal and State Cooperative Employment Program.

13.011 Establishment.

There shall be a Civil Service Commission consisting of five (5) members who shall be qualified electors of the County. Commissioners shall not hold any salaried County office or employment. All appointments to the Civil Service Commission shall be made by the Board of Supervisors and shall continue in effect until a successor is appointed. Each Supervisor shall appoint one (1) member of the Civil Service Commission. Members of the Civil Service Commission shall be selected on the basis of interest in upholding high standards of public service employment, County productivity, and the fair treatment of County employees, as well as knowledge of merit system principles and personnel administration. Civil Service Commission members serve a term of four (4) years with terms of office which shall be staggered. Terms of office shall begin on February 1 of the appropriate year and end on the last day of January. No Commission member shall serve more than two (2) consecutive four-year terms unless specifically permitted by the Board of Supervisors. Commission members shall serve at the pleasure of a majority of the Board of Supervisors. Within the authority of the County Charter, the Civil Service Commission responsibilities shall consist of hearing and deciding appeals and conducting investigations as provided in the personnel rules. The Commission shall review and make recommendations on personnel rules and amendments thereto.

Adopted Ordinance #2498 (1980); Amended Ordinance #2803 (1983);

13.012 Division of County Employment into Classified and Unclassified Services.

Employment by the County shall be divided into the Classified Service and the Unclassified Service.

Adopted Ordinance #2498 (1980);

13.013 Offices, Officers, Positions and Employees in the Unclassified Service.

The Unclassified Service shall be comprised of the following:

- (a) Any position of fixed term temporary employment, recurrent employment, extra-help employment or employment in services or positions demonstrably special.
- (b) Any elective County officer.
- (c) The County Administrative Officer.
- (d) Any public member of a Board or Commission.
- (e) Any person serving without compensation.
- (f) Any person employed to conduct a special inquiry or render professional, scientific, technical, or expert service of a temporary nature.
- (g) Any person employed on contract or other limited tenure assignment.
- (h) Any field representative of a member of the Board of Supervisors.
- (i) Legislative Advocate,
- (j) Any position placed in the Unclassified Service by the Board of Supervisors in accordance with the San Bernardino County Charter.

Adopted Ordinance #2498 (1980);

13.014 Protection of Incumbent Employee Status.

An employee holding a regular position in the Classified Service shall retain Classified status in such regular position while holding the position even if such position is placed in the Unclassified Service by action of the Board of Supervisors.

Adopted Ordinance #2498 (1980);

13.015 Scope of Classified Service.

The Classified Service shall include any office, officer, position or employee not included in the Unclassified Service.

Adopted Ordinance #2498 (1980);

13.016 Personnel Rules.

The Board of Supervisors shall adopt personnel rules to implement a merit system for County employment. Personnel rules approved by the Board of Supervisors shall have the force and effect of law and shall provide for the following:

(a) For appointments and promotions to be made on the basis of merit and fitness for County employment; for the use of and public notice of examinations; for the maintaining and use of eligible lists; certification of qualified applicants and appointment from established lists.

(b) For a period of probation before regular status in a classification is achieved. Probation periods may be extended for a reasonable period consistent with provisions set forth in the rules.

(c) For waiver by the Commission of examinations for employees in positions which have been upgraded, where such upgrading has resulted from an incremental change of duties, and the incumbent has been in the position at least twelve (12) months and during that time has performed the new grade-determining duties for the length of the probationary period of the new class.

(d) For grouping of County positions into classifications based on analysis of departmental organization and the duties and responsibilities of the positions.

(e) For a code of ethics; for regulations governing political or other activities of County employees consistent with law.

(f) For the right of employees with regular status to written notice of the reasons for any suspension, demotion, reduction in step or dismissal action and to an appeal and hearing, pursuant to the Personnel Rules and the applicable provisions of the Memoranda of Understanding (MOU) for represented employees, or pursuant to the Personnel Rules and section 13.0613(t) for exempt employees. The rules shall contain procedures for disciplinary actions and hearings. The Commission may modify the degree and the type of disciplinary action imposed, but, in no event shall it impose more severe disciplinary action than that imposed by the appointing authority.

Adopted Ordinance #2498 (1980); Amended Ordinance 3749 (1999);

13.017 Authorization to Grant Civil Service Status to Transferred Employees.

The Board of Supervisors may provide for the granting of Civil Service status and employee benefits to employees of any governmental agency whose functions and employees are transferred to and absorbed by the County; permit employees to transfer between County and any district governed by the Board; permit employees working in County government but paid from non-County funds to transfer to County positions on an equitable basis.

Adopted Ordinance #2498 (1980);

13.018 Provision to Adopt State Civil Service Laws.

The Board of Supervisors may adopt or elect to put in effect any provision of the laws of this State granting to counties permissive authority regarding employment, labor relations or Civil Service.

Adopted Ordinance #2498 (1980);

13.019 Adoption of Federal and State Cooperative Employment Program.

The Board of Supervisors may enter into agreements or cooperative programs with other public agencies regarding employment of personnel and comply with State or Federal requirements relating to programs financed in whole or in part from State or Federal funds.

Adopted Ordinance #2498 (1980);